



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,400	03/09/2004	Hisao M. Chang	1033-LB1031	9036

34456 7590 01/11/2006
TOLER & LARSON & ABEL L.L.P.
5000 PLAZA ON THE LAKE STE 265
AUSTIN, TX 78746

EXAMINER

PATEL, HEMANT SHANTILAL

ART UNIT	PAPER NUMBER
----------	--------------

2645

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/796,400	CHANG, HISAO M.	
	Examiner	Art Unit	
	Hemant Patel	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 14-30 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-13, drawn to Voice activated auto attendant system, classified in class 379, subclass 265.01 and class 717, subclass 114.
 - II. Claims 14-21, drawn to Provisioning voice activated attendant service, classified in class 379, subclass 201.12 and class 717, subclass 114.
 - III. Claims 22-29, drawn to Billing and call records, classified in class 379, subclass 127.
 - IV. Claim 30, drawn to Multiple outbound calling, classified in class 379, subclass 266.07.
2. Inventions 1, 2, 3 and 4 are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention 1 has separate utility such as Voice activated auto-attendant service. See MPEP § 806.05(d).
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with Jeff Toler on 12/21/2005 a provisional election was made with traverse to prosecute the invention of 10/796,400, claims 1-13. Affirmation of this election must be made by applicant in replying to this Office action.

Claims 14-30 are withdrawn from further consideration by the examiner, 37
CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keung (US Patent No. 6,9546,848 B1), and further in view of Crockett (US Patent Application Publication No. 2004/0141596 A1).

Regarding claim 1, Keung teaches of a system of a network based auto-attendant system with a provider network using enterprise voice directory (col. 15, ll. 1, hear a company directory; col. 16, ll. 12-13, hearing a directory of individuals or workgroups) inherently suggesting the use of directory grammar (col. 16, 64-67, recognizing the spoken name to determine any person or department by the spoken name; col. 18, ll. 13-14, recognize spoken words to determine the party desired and then call that party); and a media gateway (Fig. 1, item 2) integrated in to the system having a telephony interface connecting to phone lines and telephone trunks and a data interface connecting to Ethernet network.

Keung does not specifically teach of receiving data from remote system and process it for use by voice directory or grammar.

However, in the same field of endeavor, Crockett teaches of data connector receiving and processing the received data (Paragraph 0089, CORBA; Paragraph 0163, intelligent peripheral translating information into standardized protocol) for an external database that includes directory name/number data for SCP providing various services (Paragraph 0089).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify Keung with data connector to receive and process data to store in a database for use by service provider i.e.SCP as taught by Crockett in order to immediately implement the updated service to be provided to the caller as desired by the web client user (Crockett Paragraph 0164).

Regarding claim 2, Keung teaches of media gateway handling calls from IP telephone using IP packets across computer network (col. 18, ll. 63-67, col. 19, ll. 11-24).

Regarding claim 3, Keung does not specifically teach of firewall.

However, in the same field of endeavor, Crockett teaches of connection using firewall (Fig. 1, item 61) between compatible protocol data connector at the external database (Fig. 1, item 28, Paragraph 0089) and the remote web server (Fig. 1, item 35, remote enterprise information system).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify Keung with a connection using firewall between data connector and the remote web server as taught by Crockett in order to provide data security to users over open public network like Internet as is well known in the art.

Regarding claim 4, Keung teaches of voice activated auto-attendant service that integrates functions of the session manager (col. 13, ll. 59-col. 14, ll. 13, multiple instances of auto-attendant sessions spawned), which responds to the enterprise voice directory (col. 17, ll. 48-51, providing telephone directory to the caller) and the voice search engine responsive to the directory of grammars (col. 17, ll. 8-9, responding to dialing by workgroup name, geographic name similar to selecting by customer service group as in the instant application Paragraph 0025).

Regarding claim 5, Keung teaches of voice activated auto-attendant service that also integrates the function of the voice browser (col. 16, ll. 6-col. 7, ll. 23, auto-attendant providing voice menus and responding to spoken responses, that are converted to ASCII characters, with actions).

Regarding claim 6, Keung does not teach of voiceXML browser.

However, in the same field of endeavor, Crockett teaches of using voice XML (VXML) server through voiceXML platform that includes a browser i.e. voiceXML browser (Paragraph 0123).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify Keung with the use of voiceXML platform with a browser as taught by Crockett in order to "enable efficient communication between a calling party and the PSTN" and maintaining "greater flexibility to seek and retrieve call related data from the Internet, while maintaining control of the call within the PSTN" (Crockett, Paragraph 0072).

Regarding claim 7, Keung teaches of providing dynamic list of personal directory, workgroup directory or a geographical directory to the caller (col. 17, ll. 61-65, this is similar to dynamic voice grammar providing names of employees in the customer service group in the instant application Paragraph 0025).

Regarding claim 8, Keung teaches of a processor that provides call agent functions and also incorporates media gateway with connections to telephones and computer network (Fig. 2, 3, item 90).

Regarding claim 9, Keung teaches of a media gateway (Fig. 1, item 2) coupled to a telephone trunk line (PSTN).

Regarding claim 10, Keung does not teach of data processor.

However, in the same field of endeavor, Crockett teaches of a data processor (Fig. 1, item 28) that includes directory number/name data (voice directory) and also interfaces with standard protocols (data connector). It also teaches of another data processor (Fig. 1, item 62) that builds and implements services in SCP and provides interface (data connector) (Paragraph 0089).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify Keung with the data processor as taught by Crockett in order to build and set up data (services) and also provide standard interface (data connection).

Regarding claim 11, Keung does not teach of data connector.

However, in the same field of endeavor, Crockett teaches of a data connector (Paragraph 0160, well known socket connection over TCP/IP using HTTP) coupled to

Art Unit: 2645

the remote enterprise information system (Fig. 1, item 35, web server) that is remotely located with respect to the data connector (data connector of database Fig. 1, item 28).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify Keung with the data processor at the remote web server as taught by Crockett in order to provide standard ubiquitous mechanism for client data transfer.

Regarding claim 12, Keung does not teach of data connector.

However, in the same field of endeavor, Crockett teaches of a second data connector (Paragraph 0160, well known socket connection over TCP/IP using HTTP) coupled to the remote enterprise information system (Fig. 1, item 28, subscriber database) via virtual private network (Fig. 1, item 50, organizations internal net i.e. intranet behind firewall separated from public network i.e. Intranet).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify Keung with the use of virtual private network as taught by Crockett in order to provide data security using secure private network.

Regarding claim 13, Keung does not teach of secured website.

However, in the same field of endeavor, Crockett teaches of a secured website (Fig. 1, item 35, web server) coupled to the data connector (Fig. 1, item 28, standard protocol interface at subscriber database) via firewall (Fig. 1, item 61), this website (web server) also coupled to the work wide web (Fig. 1, item 60, Internet).

It would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify Keung with the secured web site connected to data

Art Unit: 2645

connector and world wide web as taught by Crockett in order to provide secure data transfer and data warehousing as is well known in the art.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Desmond (US Patent No. 6,269,337 B1) Method And Apparatus To Provide Enhanced Directory Assistance Information In A Communication Network

Davis (US Patent No. 6,731,737 B2) Directory Assistance System


Creamer (US Patent Application Publication No. 2003/0231747 A1) Method And System For Implementing A Telephony Services Feature Using Voice XML

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant Patel whose telephone number is 571-272-8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2645

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


GERALD GAUTHIER
PATENT EXAMINER

Hemant Patel
Examiner
Art Unit 2645

HSP
